

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ISAN CONTANT,

Plaintiff,

- against -

**ORDER**  
**09-CV-2851 (NGG)(LB)**

CITY OF NEW YORK; POLICE OFFICER  
WILLIAM WILSON; SERGEANT  
DESMOND MILLER; SERGEANT EDWARD  
DEIGHAN; POLICE OFFICER LANG; POLICE  
OFFICER CHAPMAN; and THE PROPERTY  
CLERK OF THE NEW YORK CITY POLICE  
DEPARTMENT,

Defendants.

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**BLOOM, United States Magistrate Judge:**

On June 11, 2010 defendants' counsel requested an extension of time to respond to the amended complaint. See Docket Entry 28. Counsel stated that defendants Miller and Wilson were not properly served with the amended complaint, and therefore requested that the time to respond be extended until thirty days after all defendants have been properly served. Plaintiff opposed defendants' request. See Docket Entry 30. On June 29, 2010 defendants' counsel renewed the request for an extension of time for all defendants to respond to the amended complaint. See Docket Entry 29. Defendants' extension request is granted in part.

The docket sheet in this matter reflects that service of the amended complaint has not yet been made upon all defendants. Only defendants Wilson, Miller, and Lang have been served with the amended complaint. The Court grants defendants' request to extend the time to respond to the amended complaint so that all defendants, both new and previously named, may respond to the amended complaint at the same time. Defendants shall respond to the amended complaint within

thirty (30) days of the date that defendants Deighan, Chapman, and the City of New York are served.

Plaintiff also requests that the Clerk of the Court enter a default against defendants Miller and Wilson as they have failed to timely respond to the amended complaint. See Docket Entry 31. Plaintiff's request is denied as the Court has extended the time for defendants Miller and Wilson to respond to the amended complaint.

SO ORDERED.

/S/

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LOIS BLOOM  
United States Magistrate Judge

Dated: July 2, 2010  
Brooklyn, New York